IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 19224 of 2007(S)

OA.155/2005 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH
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PETITIONER:

M.GOPALAKRISHNAN NAIR,
AGED 52 YEARS,
S/O.LATE MADHAVAN NAIR, POSTMAN
THATTAMALA SUB POST OFFICE, KOLLAM DIVISION
RESIDING AT 'GOKULAM', THAZHUTHALA
KOTTIYAM P.O,
KOLLAM DT. 691 571.

BY ADV. SMT.C.S.SHEEJA

RESPONDENTS:
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1. **UNION OF INDIA REPRESENTED BY SECRETARY, DEPARTMENT OF POSTS/DIRECTOR GENERAL MINISTRY OF COMMUNICATIONS, NEW DELHI.**

2. **THE CHIEF POSTMASTER GENERAL, KERALA CIRCLE, TRIVANDRUM.**

3. **THE ASSISTANT SUPERINTENDENT OF POST OFFICES, QUILON SUB DIVISION, QUILON.**

BY SRI.P.PARAMESWARAN NAIR, ASG

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.

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W.P.(c). NO.19224 OF 2007

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Dated this the 2nd day of July, 2007

J U D G M E N T

Radhakrishnan, J.

This writ petition is filed against the order passed by the Central Administrative Tribunal in O.A.155 of 2005. The petitioner is aggrieved by the refusal of the respondents to count his services as Postman with effect from 31.12.1983, the day on which he was appointed initially as a Postman. He is also aggrieved by nongranting of Time Bound One Promotion even after completion of 16 years. He was posted as temporary leave reserve Postman and the appointment was governed by the provisions of CCS (Temporary Services Rules) 1965. On introduction of the TBOP Scheme, two permanent and 5 temporary posts were abolished and the petitioner being junior was reverted to the lower post. Respondents later appointed him on a regular basis on 19/12/1987. On the basis of the regular service, he was qualified for promotion under TBOP and has been promoted with effect from 23.1.2004. Service rendered by the

petitioner prior to 19/12/87 cannot be counted for the benefits claimed as per rules. We therefore find no error in the view expressed by the Central Administrative Tribunal. Writ petition lacks merits. Dismissed.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp